

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LILIANA AUZETA DE NUNEZ,
 BRISEIDA AUZETA TORRES,

Defendants.

Case No. 2:12-mj-710-GWF

ORDER

This matter is before the Court on the Stipulations to Dismiss Pretrial Release Violation Petition and Vacate Revocation Hearing (#31, #32), filed on November 13, 2012. For the reasons stated herein, the proposed orders are denied without prejudice.

On October 11, 2012, Defendants Liliana Auzeta De Nunez and Briseida Auzeta Torres made their initial appearances in this district pursuant to their arrest on an indictment filed against them in the United States District Court for the Central District of California. The Court released the Defendants subject to pretrial supervision and ordered that they appear in the United States District Court for the Central District of California. On October 16, 2012, the United States Pretrial Services Officer filed Petitions for Action on Conditions of Pretrial Release against Defendants, alleging that they had failed to report to the Pretrial Services Office on October 15, 2012 as directed. The court issued warrants for the Defendants' arrest and they were subsequently arrested in Arizona and returned to this District. The Defendants made their initial appearances on petitions in this District on November 2, 2012 and were detained pending a November 14, 2012 hearing before the undersigned as to whether their pretrial release should be revoked.

The parties state in their stipulation and proposed findings of fact, conclusions of law and order that "[a]s there is no doubt the defendants violated their conditions of release by traveling to

1 Arizona, defendants request that the hearing scheduled for November 14, 2012 be vacated and that
2 they simply be transferred to the Central District of California to address the underlying charges.”
3 *Stipulation (#31), pgs. 2, 3.* The parties propose, however, to dismiss the petitions for action on
4 conditions of pretrial release. If this order is entered, then the only orders in effect pertaining to
5 Defendants’ detention or release would be the orders of pretrial release entered on October 11,
6 2012. Because it appears to be Defendants’ intention to not contest the petitions to revoke their
7 pretrial release and to, instead, submit to detention pending their transfer to the Central District of
8 California, the Court directs the parties to submit a revised stipulation and proposed findings of
9 fact, conclusions of law and order if they wish to vacate the revocation hearing. Accordingly,

10 **IT IS HEREBY ORDERED** that the Stipulations to Dismiss Pretrial Release Violation
11 Petition and Vacate Revocation Hearing (#31, #32) are **denied**, without prejudice to the filing of a
12 revised stipulation and proposed findings of fact, conclusions of law and order if they wish to
13 vacate the revocation hearing scheduled for November 14, 2012 at 2:30 P.M.

14 DATED this 14th day of November, 2012.

15
16 
17 GEORGE FOLEY, JR.
18 United States Magistrate Judge
19
20
21
22
23
24
25
26
27
28